

SEP 1 2009

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

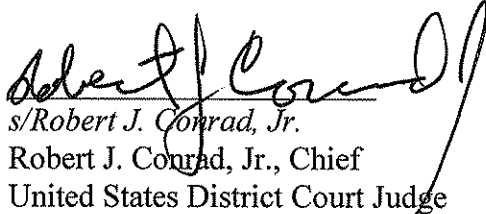
**IN THE MATTER OF :
:
DISTRIBUTION OF STATE : ORDER
:
DEATH PENALTY CASES

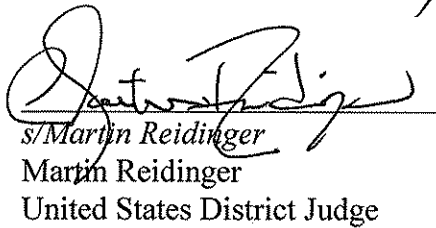
AND FEDERAL CAPITAL CASES**

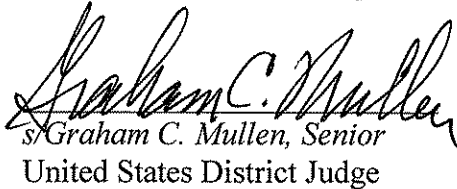
1. All cases will be assigned among the active District Court Judges on an alternating basis between Judge Reidinger, Judge Whitney, Chief Judge Conrad and Judge Voorhees, regardless of the division in which the case is filed or originated.
2. Case assignments will be adjusted from time to time by the chief judge and the other judges involved based on the particular circumstances of a given case, or the relative death penalty caseloads then being worked by all judges in the district. This assignment may be without resort to divisions of origin if the relative number of cases held by the several judges is uneven.
3. Chief Judge Conrad and Judge Whitney will not be assigned any case in which they have a conflict by virtue of their service as the United States Attorney.
4. In cases of conflict of interest or other reason barring assignment the case will be randomly assigned to another eligible district judge.
5. Cases may be reassigned to another judge after consultation with the affected judge(s) and the Chief Judge of the district and without further Order of this Court.

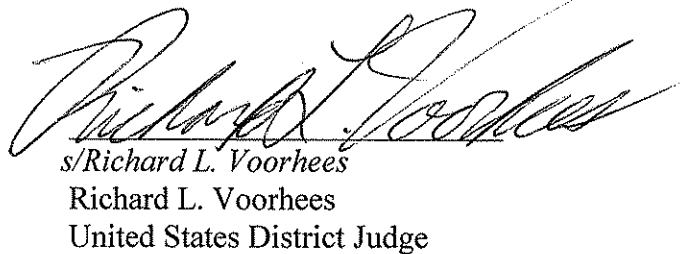
The Clerk is directed to serve copies of this Order to all district court judges, all magistrate judges, the United States Attorney, the Chief United States Probation Officer, the United States Marshall, all deputy clerks and all court reporters.

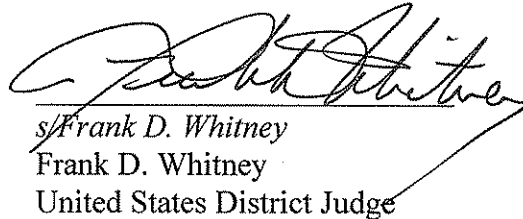
IT IS SO ORDERED, this 1st day of September, 2009.


s/Robert J. Conrad, Jr.
Robert J. Conrad, Jr., Chief
United States District Court Judge


s/Martin Reidinger
Martin Reidinger
United States District Judge


s/Graham C. Mullen, Senior
United States District Judge


s/Richard L. Voorhees
Richard L. Voorhees
United States District Judge


s/Frank D. Whitney
Frank D. Whitney
United States District Judge